

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 1114**
Nobuo OYAMA : Attorney Docket No. 2005_1100A
Serial No. 10/541,356 : Group Art Unit 3694
Filed March 6, 2006 : Examiner Daniel Lawson Greene
SYSTEM FOR MANAGING
PROJECT INVESTMENT : **Mail Stop: AMENDMENT**

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Responsive Amendment of July, 21, 2009, Applicant respectfully requests that Examiner reconsider claims 7-12 on the merits. This request is made pursuant to a telephone conference with Examiner on July 31, 2009 in which the Examiner agreed to reconsider claims 7-12 on the merits.

The Examiner issued an Office Action rejecting “system” claims 1-6 for reciting both method and apparatus limitations and for reciting a function with a lack of structure to carry out the recited function. A response was filed March 23, 2009 cancelling claims 1-6 and adding new claims 7-12 directed toward a “method”, in order to address the Examiner’s concerns. The Examiner issued a Notice of Non-Responsive Amendment, dated July 21, 2009, withdrawing new claims 7-12 from consideration as being directed to a non-elected invention (i.e., the claimed method). Applicant discussed the Notice of Non-Responsive Amendment with Examiner by telephone explaining that the original claims 1-6 were revised and presented as new claims 7-12 to clarify that the claims are properly method claims. Examiner agreed and stated he would consider new claims 7-12 on the merits and requested that the undersigned file a response in writing to make the agreement of record.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Nobuo OYAMA

/Allen N. Doyel/

By: 2009.08.06 15:01:59 -04'00'

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August 6, 2009